

**REMARKS**

Upon entry of the present Amendment, claims 1-3 and 7-13 will be all the claims pending in the applications. Claims 4-6 were canceled without prejudice. Claims 9-13 have been added.

New claim 9 depends from claim 1. Support for claim 9 can be found in the specification, for example, at page 4, lines 1-7, page 9, lines 1-5, and page 9, line 35 bridging to page 10, line 4.

New claim 10 depends from claim 1. Support for claim 10 can be found in the specification, for example, at page 4, line 7, page 9, lines 1-5, and page 9, line 35 bridging to page 10, line 4. The chemical formula for perfluoro(1,1,5-trihydro-1-pentene) is  $\text{CH}_2=\text{CF}(\text{CF}_2)_3\text{H}$ .

New claim 11 depends from claim 1. Support for claim 11 can be found in the specification, for example, at page 9, lines 1-5.

New claim 12 depends from claim 1. Support for claim 12 can be found in the specification, for example, at page 9, line 35 bridging to page 10, line 4.

New claim 13 depends from claim 1. Support for claim 13 can be found in the specification, for example, at page 10, line 4.

No new matter has been added. Entry of the Amendment is respectfully requested.

**I. Rejection of Claims 1-3 and 7-8 under 35 U.S.C. § 102(b)/§ 103(a)**

Claims 1-3 and 7-8 were rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. 2003/0198770 to Fukushi et al.

Applicants respectfully traverse this rejection.

The laminate of claim 1 has a layer (A) comprising a fluororesin and a layer (B) comprising a fluorine-free organic material. The polymer constituting the fluororesin is a chlorotrifluoroethylene copolymer comprising chlorotrifluoroethylene units, tetrafluoroethylene units and monomer [A] units derived from monomers [A] copolymerizable with chlorotrifluoroethylene and tetrafluoroethylene. Further, the chlorotrifluoroethylene unit and the tetrafluoroethylene unit amount to 90 to 99.9 mole percent in total. This last characteristic feature of the invention, in particular, achieves excellent liquid chemical impermeability without impairing bonding strength.

The instant specification discloses, for example at page 10, lines 11-13, that “When the monomer [A] unit content is above 10 mole percent, the liquid chemical impermeability, heat resistance and mechanical characteristics tend to become poor.”

In the Advisory Action dated August 13, 2008, the Examiner considered that Examples 6 and 7 are not commensurate in scope with claim 1 because Examples 6 and 7 both use PPVE as the comonomer whereas claim 1 does not limit monomer [A] to PPVE. However, the monomer [A] does not improve the liquid chemical impermeability. Thus, there is no cause to limit monomer [A] to PPVE. The instant specification discloses, for example at page 10, lines 7-10, that “When the monomer [A] unit content is less than 0.1 mole percent, the moldability, environmental stress cracking resistance and stress cracking resistance tend to become poor.”

Thus, the monomer [A] is not particularly restricted and may be any, other than CTFE or TFE, of a fluorine-containing ethylenic monomer and fluorine-free ethylenic monomer. (See Specification, at page 9, lines 18-21.)

Examples 6 and 7 show the unexpected result of increased bonding strength after fuel storage in addition to decreased fuel permeation rate. PPVE was used in Examples 6 and 7 because "From the heat resistance viewpoint, PPVE is still more preferred." (See Specification at page 9, lines 28-29.)

For the above reasons, the test data of Examples 6 and 7 demonstrates the effect of the invention and is representative of the scope of present claim 1.

Furthermore, for at least the reasons previously discussed of record, it is respectfully submitted that the present claims are neither anticipated nor obvious over Fukushi et al, and withdrawal of the foregoing rejection is respectfully requested.

Withdrawal of all rejections and allowance of claims 1-3, 7 and 8-13 is earnestly solicited.

## **II. Newly Added Claims**

Newly added dependent claims 9-13 depend from claim 1. Thus, claims 9-13 are patentable for at least the reasons discussed above with respect to the patentability of independent claim 1.

## **III. Conclusion**

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)  
U.S. Application No.: 10/556,456

Attorney Docket No.: Q90822

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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